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## **REMARKS**

### **1. Claim Rejections Under 35 USC §112**

Claim 21 was rejected because the phrases "over a network connection comprising" and "comprising a communications protocol" were deemed to be vague. By this amendment, claim 21 has been amended to clarify the phrases.

### **2. Claim Rejections Under 35 USC §102**

Claims 21-23 continue to be rejected as being anticipated by Snell (U.S. Patent 6,249,705). Again, Applicant respectfully traverses.

Snell is characterized as providing a communications protocol that emulates a client/server model and permits commands entered on the programmer to be executed as if entered directly on the remote data center. In support, columns 4 and 7 of Snell are relied upon. In column 4, however, Snell merely references a "communication protocol" and cites to examples of X.25, AppleTalk and TCP/IP.

AppleTalk is a protocol developed by Apple Computer in the early 1980s and its purpose was to allow multiple users to share resources, such as files and printers. The devices that supply these resources are called servers, while the devices that make use of these resources (such as a user's Macintosh computer) are referred to as clients. Hence, AppleTalk is one of the early implementations of a "distributed client/server" networking system.

TCP and IP were developed by a Department of Defense (DOD) research project to connect a number different networks designed by different vendors into a network of networks (the "Internet"). Several computers in a small department can use TCP/IP on a single LAN.

X.25 is an International Telecommunication Union-Telecommunication Standardization Sector (ITU-T) protocol standard for WAN communications that defines how connections between user devices and network devices are established and maintained.

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In contrast to these protocols, Telnet is a terminal emulation program for TCP/IP networks such as the Internet. The Telnet program runs on the client computer and connects it to a server on the network. Commands can be entered through the Telnet program and they will be executed as if they were being entered directly on the server console. This enables the client computer (i.e., programmer) to control the server and communicate with other servers on the network.

None of the communications protocols identified in Snell provide the claimed functionality of a Telnet connection. Each protocol identified in Snell is merely a protocol that allows multiple users to share a common resource. Snell therefore goes no further than to disclose a distributed client/server network system. The functions identified in column 7 are operations executed on the server in response to a request from a distributed client (i.e., the programmer). Snell nowhere suggests that the network server 102 can be controlled by a network programmer 104.

Accordingly, Snell fails to anticipate claims 21-23.

3. Claim Rejections Under 35 USC §103

A. Claims 24 and 25 Over Snell

Claims 24 and 25, which are dependent claims, were rejected as being unpatentable over Snell. Applicant respectfully traverses.

The rejection is viable only if claim 21 is anticipated as alleged. As shown above, claim 21 is not anticipated. Therefore, the rejection of claims 24 and 25 for obviousness over Snell fails.

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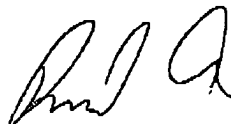
4. Conclusion

Applicant submits that claims 21-25 are in form and condition for allowance and requests that a notice of allowance be issued.

Respectfully submitted,

Date

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